

# SWANTON VILLAGE PARKING ORDINANCES

## PARKING

### SECTION 5500. DEFINITIONS.

The following words and phrases when used in this chapter shall, for the purpose of this chapter, have the meanings respectively ascribed to them in this section.

(a) **Authorized Emergency Vehicle:** Vehicles of the Fire Department, police vehicles, ambulances and such other emergency vehicles of other municipal departments or public service corporations as are designated or authorized by the Chief of Police or the Village Board of Trustees.

(b) **Bicycle:** Every device propelled by human power upon which any person may ride, having two tandem wheels either of which is over twelve inches in diameter.

(c) **Crosswalk:** That portion of the roadway ordinarily included within the prolongation of curb and property lines at street intersections, or that portion of a roadway clearly indicated for pedestrian crossing by lines marked on the surface of the roadway

(d) **Driver:** Every person who drives or is in actual physical control of a vehicle.

(e) **Hydrant Area:** A rectangular space twenty feet long and ten feet wide, one of the longer dimensions being the line of the curb, with the middle thereof at or opposite an adjacent hydrant.

(f) **Intersection:** The area embraced within the prolongation of the lateral boundary lines of two or more street which join one another at an angle, whether or not one such street crosses the other.

(g) **Motorcycle:** Every motor vehicle having a saddle for the use of the rider and designed to travel on not more than three wheels in contact with the ground but excluding a tractor.

(h) **Motor Vehicle:** Every vehicle which is self-propelled.

(i) **Official Traffic Control Devices:** All signs, signals, markings, and devices not inconsistent with this chapter placed or erected by authority of a public body or official having jurisdiction, for the purpose of regulating, warning, or guiding traffic.

(j) **Park:** When prohibited means the standing of a vehicle whether occupied or not, otherwise than temporarily for the purpose of and while actually engaged in loading or unloading.

(k) **Parking Lot:** The words "parking lot" shall mean and include all areas of land owned, leased or controlled by the Village of Swanton and prepared by it for public parking purposes.

(l) **Police Officer:** Every officer of the municipal Police Department or any officer authorized to direct or regulate traffic or to make arrests for violations of traffic regulations.

(m) **Public Highway/Road:** Roads and/or street which have been constructed for public travel over land which has been conveyed to and accepted by a municipal corporation or to the State by deed of a fee or easement interest; or roads which have been dedicated to the public use and accepted by the city or town in which such roads are located; or such as may be from time to time laid out by the Village, Town or State.

(n) **Sidewalk:** That portion of a street between the curb lines, or the lateral lines of a roadway, and the adjacent property lines intended for the use of pedestrians.

(o) **Stop:** When required, means a complete cessation of movement.

(p) **Stopping or Standing:** When prohibited means any stopping or standing of a vehicle whether occupied or not, except when necessary to avoid conflict with other traffic or in compliance with the directions of a police officer or traffic control sign or travel.

(q) **Traffic:** Pedestrians, ridden or herded animals, vehicles, and other conveyance either singly or together while using any street for purposes of travel.

(r) **Trailer:** A trailer is a vehicle without motive power designed to be drawn by a motor vehicle and so constructed that no part of its weight rests upon the towing vehicle.

(s) **Semi-Trailer:** A semi-trailer is a vehicle without motive power designed to be drawn by a motor vehicle and so constructed that some part of its weight or of its load rests upon or is carried by the towing vehicle.

(t) **Vehicle:** Every device in, upon, or by which any person or property is or may be transported or drawn upon a highway, except devices moved by human power or used exclusively upon stationary rails or tracks.

**SECTION: 5501. PARKING TRAILERS AND SEMI-TRAILERS.**

No person shall leave or park a trailer or semi-trailer upon any street in the Village of Swanton while such trailer is not attached to a motor vehicle in running condition having sufficient motive power to draw said trailer or semi-trailer.

**SECTION: 5502. SIGNAGE AND SPACES DELINEATED, VIOLATION.**

The Swanton Village Board of Trustees shall have the authority to erect street, traffic and stop signs as deemed necessary on all Village streets/roadways. The Public Works Director shall have lines or markings painted or placed upon the curb and/or upon the street adjacent for the purposes of designating parking spaces. It shall be unlawful and a violation of this ordinance to park any vehicle across any such line or marking or to park said vehicle in such position that the same shall not be entirely within the area so designated by such lines or marking.

**SECTION 5503. WINTER PARKING BAN.**

- (a) No person shall, between the hours of 12 midnight and 6 am, including Sunday and legal holidays, during the period from December 1<sup>st</sup> of every year to April 15<sup>th</sup> of the following year, park any vehicle within the limits of any public street of the Village;
- (b) Violations of this section will result in a parking fine of \$25 for the first offense and \$50 for subsequent offenses;
- (c) If the vehicle(s) is in violation and needs to be removed for snow removal the Highway Department Foreman, designee and/or the Police Department may call for the removal in accordance to Title 23 VSA 1102 at the owner's expense.

**SECTION 5503A. BLAKE STREET SWANTON RECREATION PARKING BAN.**

- (a) No person shall park any vehicle on Blake Street for the purpose of attending any activity at the Swanton Recreational Facility;
- (b) Violations of this section will result in a parking fine of \$25 for the first offense and \$50 for subsequent offenses;
- (c) If the vehicle(s) is in violation and needs to be removed the Police Department may call for the removal in accordance to Title 23 VSA 1102 at the owner's expense.

**SECTION 5503B. CHURCH STREET PARKING RESTRICTION.**

- (a) No person shall park any vehicle on the southerly end of Church Street alongside the Village Green or the Town Clerk's Office.

**SECTION 5504. NIGHT PARKING RESTRICTIONS.**

Parking of motor vehicles, trailers, equipment or any other objects on Village streets or parking lots that are designated in this section is hereby prohibited between the hours of 12:00 midnight and 6:00 A.M. between December 1 and April 15. Streets or zones may be amended in this provision by executive order at the Village Manager's or his/her designee's discretion.

**SECTION 5504A. PARKING TIME LIMITED ON CERTAIN STREETS.**

The legislative body may determine the length of time which vehicles be parked on public highways or streets within the Village. Signs shall be posted in conspicuous places advising operators of these time limits. No person shall park a vehicle upon any of the streets or parts thereof described in the following schedule, for longer than the time limit shown below upon any of the following street or parts of streets:

- (a) Within the Village Square, so-called, situated in front of Merchants Row, either at or near the center of the Square, or at any curb adjacent to the Square;
- (b) On either side of Merchants Row from the south line of the Village Square northerly to the middle of the Pearl Block, so-called;
- (c) On either side of Merchants Row from the south line of the Village Square southerly to Ferry Street;
- (d) On either side of Grand Avenue between the Village Square and First Street; and
- (e) On either side of Canada Street between the Village Square and York Street.

**TIME LIMIT:** Two (2) hours from Monday – Saturday, 8:00 A.M. – 6:00 P.M.

**SECTION 5505. REMOVAL OF VEHICLES PARKED IN VIOLATION.**

Any motor vehicles or other conveyances parked on the streets and public property of the Village of Swanton in violation of Sections 3 and 4 of this code may, when in the opinion of any Law Enforcement Officer, Officer of the Fire Department or Director of Public works and/or his/her designee and, the public safety demands its immediate removal or when in the opinion of the Director of Public Works proper plowing, maintenance or repair of said street or water mains or pipes under said street requires its immediate removal, be removed forthwith on order of said Law Enforcement officer, Fire Department officer, or the Director of Public Works and/or his designee. All costs of said removal and any expense incurred in securing such conveyance shall be charged against the owner of the conveyance or the person responsible for said conveyance at the time removal is ordered and said conveyance shall not be released to the owner or person responsible for it at the time removal was ordered until all such costs have been paid.

**SECTION 5506. REMOVAL OF VEHICLES PARKED WITHOUT AUTHORIZATION.**

Whenever any motor vehicle shall impede access to any public or private property within the Village of Swanton, or be parked thereon without authorization of the owner or other person entitled to the use or possession thereof, any police officer may order its removal. The owner of such vehicle shall pay any reasonable towing and storage charges to the extent permitted by law, which charges shall be lien on said vehicle.

**SECTION 5507. REMOVAL OF UNREGISTERED VEHICLES.**

It shall be unlawful for any person to park or leave standing any motor vehicle or conveyance that is not a legally registered motor vehicle in any jurisdiction upon a public street or municipal parking lot within the geographical boundaries of the Village of Swanton. Any vehicle found contrary to the above shall be removed immediately by the owner. Should the owner fail to remove the vehicle, then a police officer shall cause the vehicle to be removed at the expense of the owner. The Police Department will make any reasonable attempt to locate the owner prior to having the vehicle removed.

**SECTION 5508. REMOVAL OF VEHICLES CONSIDERED ABANDONED.**

(a) Any vehicle or conveyance found in a public parking lot for seventy-two (72) consecutive hours shall be immediately removed by the owner.

(b) Any vehicle or conveyance found in a public parking lot for more than twelve (12) hours following a snowstorm, or after notice is given to remove the vehicle, shall then be immediately removed by the owner.

(c) Any vehicle in violation of this section and not removed by the owner within the allotted time period will be removed at the owner's expense.

**SECTION 5509. SPECIAL DISABLED PERSON PARKING.**

(a) The Village Board of Trustees may, at its discretion, establish certain selected parking spaces in the Village of Swanton for those disabled persons whose vehicles shall display a distinguishing decal or metal tag on the registration plate approved and issued by the State Department of Motor Vehicles in accordance with Title 23, Section 304a, of the Vermont Statutes Annotated.

(b) No person shall park a motor vehicle in a space designated as parking for the disabled without displaying a special disability plate or card issued by the Vermont Department of Motor Vehicles, or as otherwise provided by law of the state in which the vehicle is registered. Any person found in violation of this section shall be fined the amount established in the Schedule of Fines for Title 23 Vermont Statutes Annotated, §304a(e) and be subject to costs for the vehicle's removal.

For purposes of this subsection, "space designated as parking for the disabled" means any space designated as parking under Title 23, Section 1025, of the Vermont Statutes Annotated, or Subsection (a) of this section.

**SECTION 5510. OBSTRUCTING A FIRE HYDRANT.**

No person shall park a motor vehicle within 15 feet of a fire hydrant in violation of Section 5505. Any person in violation of this section shall be fined \$100.00 and be subject to costs for the removal of the vehicle.

**SECTION 5511. PARKING NEAR CURB.**

No person shall park any vehicle in any street except near the curb thereof and with the curb to the driver's right, or wholly within a parking area.

**SECTION 5512. OBSTRUCTION OF CROSSWALKS AND INTERSECTION.**

No person shall keep any vehicle or part thereof, stationary, over or upon any crosswalk, or within the intersection of streets or of driveways with streets.

**SECTION 5513. REPAIRS IN STREETS.**

No person shall repair any vehicle in any street except to make emergency repairs necessary to the safe movement of said vehicle.

**SECTION 5514. DISPLAY OF VEHICLE FOR SALE IN STREET.**

No person shall keep or display for sale any vehicle stationary in any public street. This section does not prohibit anyone from displaying a vehicle for sale on privately owned property.

**SECTION 5515. DEPOSITING OF SNOW ONTO OR ACROSS CERTAIN HIGHWAYS PROHIBITED.**

No person, other than an employee in the performance of his or her official duties or other person authorized by the agency of transportation (in the case of state highways) or Board of Trustees (in the case of Village maintained roads/street), shall plow or otherwise deposit snow onto the traveled way, shoulder or sidewalk of a state highway or a class 1, 2, or 3 Village of Swanton roadway.

**SECTION 5516. DRIVING OR PARKING ON SIDEWALKS.**

No person shall ride, drive, wheel, draw, or push any vehicle upon a sidewalk, except wheelbarrows, wheelchairs motorized or otherwise, children's scooters, bicycles, baby carriages and sleds, and children's sleds, and carts. No person shall unnecessarily occupy, obstruct or encumber a sidewalk or park on a Village owned right-of-way (between sidewalk and street) so as to interfere with the convenient use of the same by the public. The area commonly used by the public, as a sidewalk, in front of a residence, shall not be regarded as an enclosure within the meaning of this section. The area commonly known as the Village right-of-way shall be maintained by the property owner(s) at all times to include mowing and general upkeep.

**SECTION 5517. DUTY TO MOVE STANDING VEHICLE WHEN DIRECTED BY OFFICER.**

No person shall leave any vehicle standing in any public highway or common, to the danger or inconvenience of any person, after being directed to remove it by a police officer.

**SECTION 5518. PARKING IN FIRE LANES WHERE PROHIBITED.**

No motor vehicle shall be parked within designated fire lanes located adjacent to or upon any property. Any vehicle found in violation of this section will be immediately removed and the owner of the vehicle will be responsible for all charges and fees associated with the towing of the vehicle.

**SECTION 5519. STOP WHERE TRAFFIC OBSTRUCTED.**

No driver shall enter an intersection or a marked crosswalk unless there is sufficient space on the other side of the intersection or crosswalk to accommodate the vehicle he is operating without obstructing

the passage of other vehicles or pedestrians, notwithstanding any traffic-control signal indication to proceed.

**SECTION 5520. LEAVING DISMANTLED OR NON-OPERATING VEHICLES ON VILLAGE STREETS PROHIBITED.**

No person shall leave any partially dismantled, non-operating, wrecked or junked vehicle on any street, road or highway within the Village of Swanton.

**SECTION 5521. COST OF VEHICLE REMOVAL.**

Notwithstanding any other provision of the article, specifically the provisions of Sections 5505, any motor vehicle parked on public property may be removed at the direction of a police officer. The owner of any such motor vehicle so removed shall be required to pay a towing charge and the owner of the vehicle is responsible for any storage fees imposed by the towing/storage company, in addition to any fine or penalty imposed for the violation of any factor thereof, in addition to any fine or penalty imposed for the violation of any of the above sections prior to the release of such motor vehicle. The costs, charges, penalties, and fines arising under this section shall constitute a lien upon any motor vehicle removed from public property under authority of this section.

**SECTION 5522. PENALTY.**

A violation of this Ordinance shall be a civil matter enforced in accordance with the provisions of 24 V.S.A. 1974a and 1977 et. seq. A civil penalty of \$100.00 may be imposed for a violation of Sections 5506, 5507, 5508, 5509, 5510, 5517 and 5518 of this Ordinance. A civil penalty of \$50.00 may be imposed for a violation of Sections 5501, 5512, 5514, 5515 and 5520 of this Ordinance. A civil penalty of \$25.00 may be imposed for a violation of Sections 5502, 5503, 5504, 5505, 5511, 5513, 5516 and 5519 of this Ordinance. Any person found in violation of Section 5508 of this Ordinance shall be fined the amount established in the Schedule of Fines for Title 23 Vermont Statutes Annotated, §304a(e).

Adopted on \_\_\_\_\_

Swanton Village Board of Trustees

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Eugene LaBombard, Trustee

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David Winchester, Village President

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Adam Paxman, Trustee

\_\_\_\_\_  
Suzie Kelleher, Trustee

ATTEST: \_\_\_\_\_  
Dianne Day, Village Clerk